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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/807,462

03/23/2004

Sunil Dewan

020375-050600US

2928

20350

7590

11/02/2005

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EXAMINER

ST CYR, DANIEL

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/807,462	DEWAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Daniel St.Cyr	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

***Claim Objections***

1. Claims 5, 7, are objected to because of the following informalities: “standard size” should be modified to define what is consider to a standard size object or structure. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 1-9, 13-16, and 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foote, US Patent No. 4,106,062, in view of Domnitz, US Patent No. 6,912,398.

Foote discloses an apparatus for producing magnetically encoded articles (devices)

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comprising: providing an ID label 9 (address information) for use in a delivery of the articles; receiving an identification code emitted from the magnetic apparatus associated with the ID code 9 (see col. 4, lines 46-68); and comparing information associated with the identification with information associated with the ID label ( see col. 4, line 35+ and figs. 2-4).

Re claim 2, the ID label 9 is a mailing label (see figure 4).

Re claim 3, verifying that the identification code emitted from the magnetic apparatus correspond to an address that matches a delivery address on the ID label (successful verification) (see col. 4, lines 46-49).

Re claim 4, inserting each magnetic device into an envelope for mailing; and applying the ID label onto the envelope (stuffing and providing data to the envelope) (see col. 5, lines 23-45 and col. 7, lines 8-15).

Re claim 5, the billing statement is considered to of a standard size for a billing statement (see figure 1)

Re claim 6, the devices use elastic material to secure the components thereon thru hot-stamping process (see col. 4, lines 4-34).

Re claims 7-9, the device is a standard size credit card (figs. 2-3; col. 7, line 15).

Re claim 13, wherein the compared information is address information, including name (the panel 9 includes both the name and the address) (see figure 4).

Re claims 15, 18, 24, and 25, the printer 37 serves as the labeler; the information is verified by comparing the output information from a database 70 (register 70-13) and the output information read from the read head 33 (magnetic information) with the information recorded on

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the card (visual indicia/ address information); a processor is inherently included for processing the information (see col. 6, lines 29-35).

Re claims 20-21, these limitations have been discussed above (see claims 13 and 14).

Re claims 22 and 23, the delivery is through postal service, wherein the postal service serves as courier service for delivering the mail (see col. 5, lines 43-46).

Foote teaches that the address information is encoded onto a magnetic stripe, but fails to disclose or fairly suggests an RFID for storing said address information.

Dommitz discloses an apparatus and method for delivering information to an individual based on location and/or time comprising: a credit card having an RFID for proving individual' identification (see col. 5, lines 24-32)

In view of the teachings of Dommitz, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the teachings of Foote to employ the well-known RFID in lieu of the magnetic stripe or to incorporate the RFID in conjunction with magnetic stripe to provide an alternating means for verifying the address information. Such modification would a more convenient mechanism for verifying the address information, without physical contacts, which would eliminate ware and tear in the device. Furthermore, by having non-contact verification would expedite the verification process by providing fast, reliable, accurate data collection without human error or replication. Therefore, it would have been an obvious extension as taught by Foote.

Re claim 16, the modified system of Foote and Dommitz is capable of reading the identification code at anytime of the mail processing.

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5. Claims 10-12, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foote as modified by Dommitz as applied to claims above, and further in view of Tilles et al, US patent No. 5,518,122.

Foot as modified by Dommitz fails to disclose or fairly suggests that the labeler provides the label after packaging the device and wherein the ID label is read after being applied to the package and that the ID label includes a bar code.

Tilles et al disclose a modular mail processing method and control comprising: a labeler 225, a bar code printer 230 and a verify bar code reading 235, the labeler 225 is for printing the labels on outgoing mail; in addition, pieces of mail traveling through the system has a bar code printed thereon for future sorting, either at another location or internally; a data base of addresses for verifying the address information read by either the bar code reader 220 or the optical character reader 215 (see col. 8, line 48+).

In view of Tilles et al's teachings, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the teachings of Foote as modified by Dommitz to include a labeler for labeling the package and to include bar code encoder to encode a bar code onto the label. Such modification would prevent mislabeling of packages wherein the information would be obtained from the database or from RFID device so accurate information is printed onto the label. With regard to having a bar code symbol having the information thereon would provide an alternating means for cross-referencing the information from the label to assure the packages are sorted, routed accordingly. Therefore, it would have been an obvious extension as taught by the Foote as modified by Dommitz.

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***Conclusion***

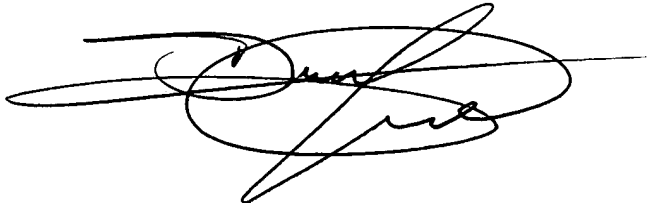
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shakespeare, US Pub. 2004/0131760. Labrec et al, US patent No. 6,817,530. Castro et al, US Pub. 2005/010471. Huang, US pub. 2005/-177480.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 571-272-2407. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel St.Cyr  
Primary Examiner  
Art Unit 2876

A handwritten signature in black ink, appearing to read 'Daniel St.Cyr', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

DS  
October 25, 2005